

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. A76-414
)	
OCEANIC PROPERTIES, INC.)	
)	
For the Reclassification of)	
Certain Lands situated at Waialua,)	
Island of Oahu.)	
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DECISION AND ORDER

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DECISION

This matter, being a proceeding pursuant to Section 205-4 of the Hawaii Revised Statutes, to consider a Petition to amend District Boundaries and reclassify from Agricultural to Urban approximately 47 acres of land situated at Waialua, Island of Oahu, was heard by the Land Use Commission in Honolulu on September 2, 1976. Oceanic Properties, Inc., the Planning Department of the City and County of Honolulu, and the Department of Planning and Economic Development of the State of Hawaii were admitted as parties in this Docket. The Commission, having duly considered the record in this Docket, the Proposed Findings of Fact, Conclusions of Law and Order submitted by the Petitioner, and the Recommendation of Approval by Department of Planning and Economic Development, State of Hawaii, Regarding Petitioner's Proposed Findings of Fact, Conclusions of Law and Order, hereby makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. The subject property owned in fee simple by Petitioner is located at Waialua, Oahu, and consists of three parcels of land identified by Tax Map Key designations and containing areas as follows:

<u>Tax Map Key</u>	<u>Area</u>
6-6-19:2	15.350 acres
6-6-19:9	15.060 acres
6-6-18:1	16.448 acres

The total area of the three parcels proposed for reclassification is approximately 47 acres. The parcel identified by Tax Map Key 6-6-19:2 (hereinafter referred to as "Parcel Unit 1") is located approximately 1500 feet southwest of Weed Circle Junction along Kaukonahua Road. The parcels identified by Tax Map Key 6-6-18:1 and 6-6-19:9 (hereinafter collectively referred to as "Parcel Unit 2") are located at the western section of Weed Circle Junction and are bounded by Waialua Beach Road and Kaukonahua Road.

2. Both Parcel Unit 1 and Parcel Unit 2 (hereinafter collectively referred to as "subject property") are within the Agricultural Land Use District and each is contiguous to Urban Land Use Districts, including residential areas, generally to the south and southwest of Parcel Unit 1 and to the north and northwest of Parcel Unit 2. Areas to the east of the subject property are separated by Kaukonahua Road and are within the Agricultural Land Use District and in sugar cane production. Parcel Unit 1 and Parcel Unit 2 are separated by a narrow strip of

land, portions of which are used for a church structure and church activities. The existing Waialua-Haleiwa Urban District is generally confined to areas lying makai of Kamehameha, Kaukonahua and Farrington Highways and is separated from the primary sugar producing areas lying mauka of these roadways. In relation to this existing urban pattern for the area, the subject property is located in an area which is logical for further urban expansion.

3. The Honolulu General Plan, adopted by the City and County of Honolulu in 1964, designates Parcel Unit 1 as "Residential" and Parcel Unit 2 as "Agricultural".

4. The subject property is relatively flat with slopes ranging to approximately 7%. Based on U.S. Corps of Engineers Flood Maps for the area, most of the subject property lies outside of the flood prone areas, except for a small portion of Parcel Unit 2. The United States Department of Agriculture Soil Conservation Service Soil Survey Report for Oahu indicates that the subject property contains the following two soil types:

- a. Waialua silty clay, 0 to 3 percent slopes (WkA). Characteristics of this soil type are: moderate permeability; slow runoff; slight erosion hazard; roots penetrate to a depth of 5 feet or more in places; surface soils are 12 inches thick, subsoil about 26 inches thick; used for sugar cane, truck crops and pasture; capability classification IIe if irrigated, IIIc if nonirrigated; sugar cane group 4; pasture

group 3; woodland group 1; shrink - swell potential is moderate.

b. Lahaina silty clay, 3 to 7 percent slopes (LaB). Characteristics of this soil type are: surface layer about 15" thick; subsoil about 45" thick; moderate permeability; slow runoff; slight erosion hazard; roots penetrate to a depth of 5 feet or more in places; used for sugar cane and pineapple; small acreages used for truck crops, pasture and homesites; capability classification IIe if irrigated, IIIc if nonirrigated; sugar cane group 1; pineapple group 2; pasture group 3; woodland group 1; shrink - swell potential is moderate.

The Land Study Bureau Detailed Land Classification for Oahu indicates that the subject property consists primarily of lands with an overall productivity rating of "A", with some "B" lands.

5. Petitioner proposes to develop the subject property as fee simple subdivisions for residential uses in two incremental units. Parcel Unit 1 shall be developed first followed by development of Parcel Unit 2. Parcel Unit 1 shall contain approximately 83 lots and Parcel Unit 2 shall contain approximately 187 lots. Each lot shall be approximately 5,000 square feet in area. Petitioner proposes to construct on each lot a single family dwelling which shall be of double wall frame construction. On-site and off-site improvements of the development will include drainage, road, water distribution and sewage

collection systems, and water connections to transmission lines. Petitioner's consolidated financial statements (Petitioner's Exhibits 5, 6 and 7) support and establish its financial capability to undertake the proposed development.

6. Surface water from Parcel Unit 1 will be collected onsite by an interior system and funneled onto cane land where it will sheet flow into Poamoho Stream. Surface water from Parcel Unit 2 will be similarly collected onsite by an interior system and discharged into Paukauila Stream. The drainage patterns proposed would not affect the lotus farms in the Waialua area. The average annual rainfall for the subject property is approximately 30.5 inches.

7. The Department of Health of the State of Hawaii has indicated that cesspools may not be permitted for the subject property, and the Board of Water Supply has indicated that the location of the subject property with respect to a low level aquifer may require the installation of a small package treatment plant and collection system. Petitioner has stated that if cesspools are disallowed, it would develop an alternate sewage disposal system for the subject property as required by law and by the appropriate governing authorities. Accordingly, no adverse effect is foreseen as to ground water.

8. Existing waterlines of the City and County of Honolulu exist on Kaukonahua Road and Waialua Beach Road and may be tapped to provide water to the subject

property. The Board of Water Supply has reviewed preliminary engineering data for the proposed development for the subject property and has indicated that its system is adequate to service the development. Minimum fireflow required is 1,000 gallons per minute. The existing water lines' present rate is 1,220 gallons per minute which exceeds the minimum standard.

9. Electrical power and telephone service are available to the subject property.

10. The proposed development for the subject property is not expected to add significantly to existing peak hour traffic volumes on roadways fronting the development. Estimated peak hour traffic volume expected to be generated by the proposed development is 140 VPH (vehicles per hour). Peak hour traffic volume in 1972 was 294 VPH for Kaukonahua Road and Waialua Beach Road appears more than adequate to accommodate the additional traffic volume generated by the proposed development.

11. The subject property has been farmed for sugar cane production and is to be withdrawn from sugar cane production under Waialua Sugar Company's current plan which would increase the gross number of acres in sugar cane in the North Shore area. Under the plan, lands, including the subject property, adjacent to residential and commercial areas are being phased out of cane production because they are difficult to farm in the context that certain necessary activities of cane production conflict with residential and commercial activities. Lands mauka

of Farrington Highway or Kamehameha Highway away from existing urban areas, available for sugar production, are being consolidated for optimum use for sugar production. The implementation of this plan began in 1973 and will end in 1977 during which period the total acreage in cane cultivation will have increased by approximately 2,732 acres. The subject property has been in intensive agricultural use for many years, but reclassification into the Urban District will not substantially impair agricultural production in the area. To the contrary, by utilizing Farrington and Kamehameha Highways as natural barriers between the Agricultural and Urban Districts in order to alleviate conflicts in those uses, the actual or potential agricultural production in the vicinity will probably be enhanced and preserved.

12. There are no historic or archaeological artifacts, sites or structures on the subject property. There are no wild game animals, birds or fish that inhabit the subject property which has been used for cane production for at least twenty-five years. Except for its present use for cane production, the subject property does not have any known significant resource value in terms of natural, environmental, recreational, historic, or scenic resources.

13. A minor portion of Parcel Unit 2 (20,000 square feet of 31 acres) falls within the coastal zone (special) management area.

14. The Department of Education of the State of Hawaii has indicated that the potential increase of

students from the proposed residential development can be readily accommodated into the existing elementary and high school facilities. Haleiwa and Waialua Elementary Schools are within walking distances of the subject property, and Waialua High School is about 1.5 miles away. The Waialua Regional Recreational Center is within walking distance, and the Haleiwa Regional Park is 5 minutes away by automobile. The town of Haleiwa with its commercial facilities begins approximately 2,000 feet from the subject property. At least 10 churches of various denominations are available within a 1.5-mile radius of the subject property. Bus service is currently provided to Wahiawa and Honolulu by the City and County Transit Bus Service which operates on a schedule from 6 a.m. to 8 p.m. on Kamehameha Highway. The Wahiawa Police substation provides coverage from Kaena to Kahuku. Fire protection is served by numerous substations in Waialua, Haleiwa and Sunset Beach.

15. There is a market need and demand for fee simple single-family residential lots for moderate to middle income families in the Waialua-Haleiwa area. The ratio of income to cost of housing is rapidly declining, particularly for the under \$50,000 house sales price category. The Petitioner intends to apply for designation of the proposed residential development as an experimental and demonstration housing project pursuant to Act 108, SLH 1970, to allow overhead utilities, rolled curbs and no sidewalks. The estimated sales price per house and lot

is \$44,655. With Community Development Block Grant (CDBG) funds, a federal grant through the City and County of Honolulu, the estimated sales price is \$38,655. The City and County of Honolulu has received approval of \$500,000 in CDBG funds for development of Parcel Unit 1. If a sewage disposal system other than cesspools is required, then the sales prices aforesaid would be increased by the added cost of the alternate sewage disposal system, an additional \$1,500 to \$2,400 per unit. Homes in Parcel Unit 1 is projected to be available in January 1978 and homes in Parcel Unit 2 is projected to be available in July 1978. Petitioner has received 177 unsolicited applications from persons desirous of purchasing a house and lot within the proposed development. These applicants are all within a family income range of \$22,000 and under. All restrictions and conditions, required to be imposed by the appropriate governmental authorities under Act 108, SLH 1970 and under approval of CDBG funds, shall encumber the sale of each house and lot. The Waialua Community Association has evidenced its support of the proposed development. There are no suitable alternative sites available for residential development in the area generally bounded by Kaukonahua Road, Waialua Beach Road, Paukauila Stream and Kiikii Stream. Additionally, although there are some 273 acres of land in the Waialua-Haleiwa area which are classified as Urban but are presently vacant, much of that land is either wetland or is within the flood plain area.

CONCLUSIONS OF LAW

Reclassification of the subject property, approximately 47 acres, situated at Waialua, Oahu, from Agricultural to Urban and amendment of the District Boundaries accordingly to permit the proposed residential development is reasonable, not violative of Section 205-2, HRS, and consistent with the Interim Statewide Land Use Guidance Policies established pursuant to Section 205-16.1, HRS. particularly subsection (5) thereof which provides, among other things, for a preference for petitions which would provide needed housing excessible to existing or proposed employment centers, or assist in providing a balanced housing supply for all economic and social groups.

ORDER

IT IS HEREBY ORDERED:


That the property which is the subject of the petition in this Docket No. A76-414, approximately 47 acres situated at Waialua, Island of Oahu, consisting of parcels of land identified by Tax Map Key Nos. 6-6-19:2, 6-6-19:9 and 6-6-18:1, shall be and hereby is reclassified from Agricultural to Urban and the District Boundaries are amended accordingly.


DONE at Honolulu, Hawaii, this 16th day of February, 1977, by motion passed by the Commission on December 21, 1976, in Honolulu, Hawaii.


LAND USE COMMISSION
State of Hawaii


By Eddie Tangen
EDDIE TANGEN
Chairman

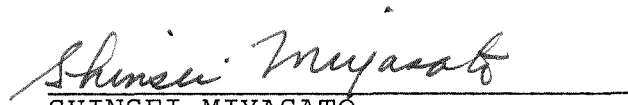

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